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ASSEMBLEIA DA REPÚBLICA

# REPORT PRESENTED BY THE EVENTUAL COMMISSION FOR THE FOLLOWING-UP OF THE SITUATION IN

# EAST TIMOR

NOVEMBER 1986

LISBON — PORTUGAL
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1. THE DECOLONIZATION OF THE TERRITORIES ADMINISTERED BY PORTUGAL

After the 25th of April, the new Portuguese regime accepted Portugal's international obligations as a United Nations member state.

In Law 7/74 of July 27th, Portugal recognized every people's right to self determination, with all its consequences, including independence, according to the UN Charter.

In a memorandum delivered to the UN Secretary General in August the 3rd 1974, the Portuguese Governement reasserted its obligations regarding Chapter XI of the Charter, pledged cooperation withe the United Nations, conforming to Resolution 1514 (XV), reaffirmed its acceptance of the "right to self-determination and independence regarding all the territories under Portuguese administration".
In September 10th, 1974, Portugal recognized the independence of Guinea/Bissau.

The following territories became independent during 1975: Mozambique (June 25th); Cabo Verde (July 5th); S.Tomé e Principe (July 12th); Angola (November 11th).

In the case of Timor, however, the characteristics of the situation were very different: To begin with, prior to April 25th 1974 ,no movements or organizations fighting for indepen-

dence were known of; on the other hand, neighbouring Indonesia was taken, in what concerns to this territory along the time contradictory stands.

## 2. EVOLUTION OF TIMOR CASE IN 1974 AND 1975.

### 2.1. INDONESIA STANDS

In October 1974 during the first debate on the Portuguese territories held since the alteration of our political system, in the 4th Commission of the United Nations General Assembly, Indonesia's representative stated that his country would like to see the people of Portuguese Timor using their right of self-determination in an orderly and peaceful way, according to resolution 1515 (XV). However, should the people of portuguese Timor decide on unitting with Indonesia, this country was prepared to cooperate towards this aim. Such a union should have to comply to the Indonesian constitution which states that Indonesia is a unitary state".

In December 1974, Minister Malik declared that only two choices were available to the people of Timor: to continue under Portuguese administration or unite with Indonesia.

Timor people were not strong enough to support themselves, but if they wished to remain attached to Portugal this would amount to a new form of colonialism".

After the formation of the UDT/Fretilin nationalist coalition (January 1975), Minister MALIK described the situation in East Timor as " chaotic" and warned that Indonesia would not tolarate a dangerous development of the situation.

At a meeting of the Committee of the 24, held in Lisbon in June 1975, Indonesia's representative, Ambassador SANI declared "that his country had often asserted that it did not hold any territorial ambitions regarding Portuguese Timor and that it would continue to honour the UN declaration on decolonization, guaranteeing, as a matter of principle, every people right of self-determination. He added that the existence of a movement favouring union with Indonesia was a fact. If the population of Portuguese Timor should decide - when freely and democratically making use of their right of self-determination - to become independent by joining Indonesia, his country would consider the territory an integral part of the Indonesian state with the same rights and obligations as any other, according to its Constitution.

Ambassador SANI further pointed out that his country considered that there existed a link between the decolonization of East Timor and the need for stability in the area. He said Indonesia had perforce to regard the decolonization process as part of broader, fundamental considerations on regional stability and security, essential to Indonesia's development and prosperity. The people of East Timor Should use their right to self-deter-

mination by means of a referendum, to take place peacefully, tranquilly and with dignity, well aware of the consequences of whichever decision they might reach. In July 1975, President Suharto declared "that Portuguese Timor could not be independent for lack of economic potential and that the majority of the people were in favour of union with Indonesia.

## 2.2. TIMOR DECOLONIZATION PROCESS

In May 1974, reflecting the great democratizing wave in Portugal, East Timor becomes politically aware and the first political groups are formed:

- UDT defended a federation with Portugal, rejecting any notion of union with Indonesia and independence. Later on influenced by the evolution of the decolonization process, UDT changes its programme, advocating Federation with Portugal as an intermediary status until independence but nevertheless rejecting the integration of East Timor into any other foreign power.

- ASDT defended with moderation the ideals of democratic socialism but in September 1974 became the REVOLUTIONARY FRONT OF INDEPENDENT EAST TIMOR (FRETILIN), adopting a programme altogether similar to those of the liberation movements in other portuguese colonial territories.

- FRETILIN defended total independence for East Timor and esteemed that as far as the territory's decolonization was concerned it should be held as the sole and lawful party of the people of East Timor.

- APODETI was in favour of union with Indonesia. All observers who reported on events occured in the territory during 1974 and 1975 are unanimous when considering APODETI to have been the movement with less popular support, inspite of all the aid it began receiving from Indonesia, namely through KUPANG Broadcasting Station.

In January 1975, UDT and FRETILIN joined in a national coalition that aimed at isolating APODETI.

In March, Instability generated in the territory and the strain between the two parties culminates in the breaking of the coalition in May.

However, just in May Portuguese Government presented to the main Timor political groups a decolonization plan for the territory. Basicaly, the plan established a transition Government as from October and a Consultive Assembly that would decide on the election method to be adopted in 1976 for a Constituent Assembly.

Negociations with the political groups - except for APODETI which refused to attend - began in Dili and continued in

Macau the following June.

At the root of the disagreement between UDT and FRETILIN was a series of facts : UDT accused the portuguese MFA (Armed Forces Movement) military of supporting FRETILIN and this party regarded the independence an indisputable issue and charged UDT leaders of having Indonesia's covert support. It also refused to meet with APODETI, as this party defended a foreign country's (Indonesia's) interrests and because it was not sufficiently representative.

Law 7/75 of July 17th resulted from the"Macau Summit"and in it Portugal determines that the political future of East Timor shall be decided by a Popular Assembly, to be elected in October 1976; as transition bodies there would be a High Commissioner, presiding over a Government composed of Assistant Secretaries and a Council with advisory capacities. Portuguese sovereignty and the prerogatives of Portuguese Administration were to cease in 1978.

The relationship deterioration between UDT and FRETILIN would climax in August 1975. On the 8th, UDT decrees a general strike to demand a stand against the Portuguesemilitary who did not observe a neutral position. Tension increased and the connection between the two parties is severed on the 11th.

UDT occupied in the process a section of the town of Dili.

Some days later FRETILIN launches a counter-offensive that degenerates in armed confrontation between the two movements. As in every civil war, acts of extreme violence were registred.

The political sequence of Portuguese sovereignty withdrew to Atauro, a small island north of Dili, on August 29th 1975.

UDT broke under FRETILIN's military superiority, which ended up by having control of nearly the entire territory.

However FRETILIN did not immediately demand independence, hoping Portugal would recognize it as the only legitimate representative of the people of East Timor, as had happened in other Colonial territories. The idea was that Portugal should resume the administration of the territory and govern it transitorily. Only afterwards would independence be proclaimed and power transfer effected.

In November 28th 1975, FRETILIN unilateraly declared independence rapidly recognized by twelve states, but not by Portugal nor by Indonesia; it was also not recognized by the United Nations. The confrontation period from August to November was one of intense diplomatic activity involving the Portuguese, United States, Indonisian and Australian Governments.

Talks were proposed for September in Macau and for the end of November in Darwin (Australia) but did not take place on account of the Portuguese political crisis.

After 3 months of intervention in Timor (on request of the ANTI COMMUNIST MOVEMENT - MAC, created by UDT/KOTA/LABOUR PARTY and APODETI), Indonesia invaded the territory on December 7th 1975.

INDONESIAN INTERVENTION IN EAST TIMOR

For a broader and deeper understanding of the Indonesian intervention in East Timor it is necessary to go back in time.

As early as 1959, a movement inspired by the Indonesian Consul in Dili tried to generate a sentiment of revolt towards the Portuguese presence in the province.

In 1963 under pretext of an alleged conflict between border populations, Indonesian forces were about to invade OE-CUSSI, an enclave set in Western Timor.

Up to 1974 an apparently calm period was registered, with no signs of interference from the Government of Indonesia in the political life of the territory of East Timor, under Portuguese jurisdiction.

After the 25th of April revolution ,which broke out in Continental Portugal, East Timor was no exeption to the dynamic and expectant wish for change and self-determination demonstrated by all peoples of the Colonial Territories administered by Portugal.

Thus, and as mentioned above, the first political groups appeared in the East Timor scene.

As only APODETI displayed in its programme a clear an unequivocal disposition to integrate the territory of East Timor in the Indonesian Republic, Jakarta immediately started a campaign refuting the existence of the two nationalist parties, UDT and FRETILIN. This was put into effect namely through Radio Kupang daily broadcasts, UDT was termed fascist and FRETILIN communist.

In view of this situation, UDT and FRETILIN joined in January 1975 forming a nationalist coalition to which Indonesia was constantly opposed to.

The contradictions existent between these two forces inevitably brought upon hostility. In March FRETILIN proclaimed itself the dominant force in East Timor. Once again Indonesia, through Radio KUPANG, which had increased its broadcasts, directly intervened in Timoran politics, to the point of having threatned to invade the territory if FRETILIN were to seize power.

May 1975 the rupture in the coalition occurs, and each of these two forces, UDT and FRETILIN, publicly pronouced themselves to be the only true representative of the people of East Timor's interests.

Clashes intensified and in August there is a state of civil war. The portuguese Governor, unable to hold back the spreading of violence, withdraws to the island of Atauro. The UDT forces are defeated and seek refuge close to the Indonesian border. The Indonesian Government that until then had , in diplomatic and Governamental contacts, affirmed that its position was one of not interfering, clearly shows that it would not consent the situation of conflict and rebellion in the island. It proposes at once to the Portuguese Government to send Indonesian troops to the territory, professing it to be the only possible way to establishing a multinational force to maintain Peace. The Portuguese Government replies that would only be acceptable provided such a force would include Indonesian, Portuguese, Australian and Malasian troops.

Indonesia drops the proposal and breaks the talks with the Portuguese Government.

In September and October the first incursions by land take place. UDT partisans taking refuge along the border are disarmed; the hamlets of Balibo and Batugade are taken; Radio KUPANG announces that Indonesia is prepared to invade East Timor; these settlements experience the first shows of violence and death. The invasion process was on its way.

During the 2 following months, the Indonesian Government carefully prepared the invasion and on December 7th 1975, a global air, land and naval offensive is launched. The main target is Dili, the capital of East Timor, which is subject to intense bombing from airplanes, from helicopters and from the 16 indonesian ships anchored in the port. Army forces came in from the frontier; paratroopers are flown in. The number of men involved in the operation is estimated in ten of thousands. Invasion was a reality. East Timor had been occupied by the indonesian forces.

However, inspite of this show of strenght, the Indonesian Government was not able to take all the territory. Only the main towns and accesses are controlled by it and the Indonesian army's progression is extremely slow. ANTARA, the Official Indonesian Information Agency admitted in January 8th 1978 that its country's forces only had control over 1/3 of the territory.

The population antagonism and rejection immediately turn into widespread resistance. This is confirmed by the armed resistance which after 12 years of occupation maintains, to this day, control of a part of the island, especially in the areas of Viqueque and Lospalos.

After the invasion a Provisional Government is set up with the aquiescence of the MAC parties that in turn create a Popular Representative Assembly of East Timor (Assembleia Representativa

Popular de Timor Oriental).

This Assembly composed of 37 members, all of them designated by the invading country, "approved" the integration of East Timor in Indonesia.

In July 17th 1976, the Indonesian Parlament, by unanimity, considered East Timor the 27th Province of the Republic of Indonesia.

## 4. EAST TIMOR FROM 1975 TO 1986. EVOLUTION IN THE INTERNATIONAL SCENE:

1975 - The United Nations General Assembly and the Security Council approved on December 12th and December 22nd resolutions deploring Indonesia's action and at the same time exhorting that Government to promptly withdraw its troops from East Timor, while it reminded Portugal of its responsabilities as administering state.

1976 - In March the Portuguese Government proposed the reopening of talks to Indonesia. This country replied that this was a Provisional Government of East Timor's responsability.

In August, the non-aligned countries' Summit, held at

Colombo asserts the right of the East Timor people to self determination.

1977 - In February, Jim Dunn, former Australian Consul in Dili, presents a detailed report on the atrocities committed by the Indonesian Army in East Timor. These acts were publicly admitted by Adam Malic, Indonesia's Minister of Foreign Affairs, who said :"We killed 60 to 80 thousand, but have liberated 600,000".

In September, Indonesia starts a new offensive, bombing the cultivated land of the areas it didn't control.

In October, the USA Government recognized the occupation of East Timor. The spectre of hunger appears as a result of crops destruction.

In November, The United Nations General Assembly approves once again a proposition regarding East Timor's right of self-determination.

In Nova Dili, the Non-Aligned Coordinating Bureau reaffirms the right of the people of East Timor to self-determination, in accordance with the resolutions of the United Nations General Assembly and of the Security Council.

In December, International Amnisty criticizes Indonesia for not allowing the entry of the Red Cross in East Timor.

1978 - In January. Australia recognizes the integration of East Timor in Indonesia.

In May, the american Vice-President, Walter Mondale, confirms, in Jakarta, the sale of 16 A4 - Skyhawk air planes to Indonesia.

In Havana, the Non-Aligned Coordinating Bureau once again reaffirms the right of self determinaiton for the people of East Timor.

In September of the same year, an ambassadors' delegation accompanied by reporters, visits East Timor and is shocked by the misery and mortality rate against Timorans.

In October, australian members of Parliament sign a petition requesting that the International Red Cross be allowed to enter East Timor.

In December, the United Nations General Assembly approves a resolution on the right of self-determination for the people of East Timor (61 in favour of, 30 against and 45 abstentions).

1979 - Indonesia allows the entry of the International Red Cross and the Catholic Releef Service into East Timor. The programmes of humanitary aid to civilian population start.

In November a new UN General Assembly resolution is passed on the subject of East Timor's self-determination.

1981 - The International Red Cross is forced to leave East Timor. This act is part of a new Indonesian major offensive directed against the active Timoran resistance. The UN General Assembly passes a new resolution similar to the previous ones; The Australian Senate decides to open an inquiry on East Timor; a Declaration by Monsignor Martinho da Costa, the Apostolic Administrator in Dili, appears for the first time in the Australian press, reporting the serious situation of famine in the territory. The Red Cross ais programme restarts.

1982 - During his visit to Portugal, His Holiness Pope John Paul II vehemently pleads for peace in East Timor. Over one million Portuguese concentrated at Fatima pray for peace in East Timor.

"In November the United Nations General Assembly reasserts the right of the people of East Timor to self -determination and confers to the organization's Secretary General a special mandate to enable him to find a just solution for the conflict, through dialogue with parties directly involved".

1983 - In February, the United Nations Human Rights Commission also recognizes the Timoran people the right of self-determination.

In March and as a result from talks between FALINTIL leaders an Indonesia, a cease-fire follows, lasting five months.

170 members of europeans parliaments sign a declaration supporting the self-determination right of East Timor people.

In September, Indonesia significantly increases its military power in East Timor. The presence of such numerous forces makes 48 USA congressmen send the Portuguese Prime Minister a letter in which they express their concern for the situation in East Timor, requesting him to intensify his diplomatic activity.

In december, more than 100 congressmen ask Reagan to enrole the East Timor case in the agenda of American foreigh policy. The Summit of the Heads of States of the Five Portuguese Speaking Countries which took place in Bissau reasserted its support to the liberation struggle in East Timor and to FRETILIN.

More than 150 English Members of Parliament request their Government to stop selling arms to Indonesia.

1984 - 133 Portuguese politicians and intelectuals subscribe an "Open Letter" to President Reagan - on occasion of the official visit of Prime Minister Mario Soares to the USA - requesting that he take a stand on East Timor. A month later, 22 American Senators send a letter to Secretary of State G. Schultz, drawing attention to the violation of human rights in Timor and requesting him to bring up the issue during his next visit to Indonesia. In July, American Congressmen appeal to President in order to end the suffering of the Timor people.

The month of July will register a new offensive in favour of East Timor: John Paul II openly states his concern regarding the territory; the American Secretary of State, G. Schultz approaches the subject of human rights violations in East Timor with the Indonesia minister for foreigh affairs. The Australian Labour Party Congress approuves a proposition demanding a defenition of the country's policy, in order that human rights be observed in East Timor. In the following month, the Summit of the Five Portuguese Speaking Countries expresses its solidarity with the struhhle of the Timor people and with FRETILIN. The United Nations Decolonization Committee strongly criticizes Indonesia on its policy regarding East Timor.

1985 - In February, the 5th Summit of the Heads of State of the Portuguese Speaking African Countries expresses once again in its final communique its staunch support to the brave struggle of the Timor people.

In April an important document dated January the Ist becomes available, wherein the Presbyterian Council, chaired by Monsignor Ximenes Belo, analyses the situation

In May, the Brasilian Parliament Foreign Affairs Committee unanimously voted a proposition of solidarity towards the people of Timor while, in the same month, 131 American Congressmen write to Ronald Reagan on the occasion of his visit to Portugal, expressing their concern for the East Timor tragedy.

International diplomatic activity in favour of East Timor became prolific during the summer of 1985.

In June, 411 M.P.s of: the European Parliament; nine european countries; Australia; and Japan sign a declaration demanding the end of hostilities, the presence of representatives of the East Timor people in negociations as well as an interference-free self-determination act.

In July the International Amnisty report appears, denouncing the violation of Human Rights which had already caused 200.000 dead.

In August, the United Nations Decolonization Committee debates the East Timor issue, the participants having considered that Indonesia was illegally occupying the territory.

In September the Ministerial Summit of the Non-Aligned Countries was in Luanda. The prevailing situation in East Timor was discussed and an appeal made to the United Nations Secretary General for the establishment of joint efforts so as to obtain a global solution, enduring and stable, for the people of East Timor, according to the several UN resolutions.

In October, the President of the Portuguese Republic, Ramalho Eanes, delivers a speach at the UN General Assembly, wherein he states that Portugal shall continue to assume its responsabilities over the territory of East Timor in its capacity as the administering state.

1986 - Indonesia iniciates great diplomatic activity, specially in the EEC countries, with a view to have the East Timor issue withdrawn from the United Nations agenda.

In March, in his inauguration ceremony, the President of the Protuguese Republic, Mr. Mario Soares, draws attention to the situation in East Timor, stating namely that "Portugal remains bound to East Timor, as far as its responsabilities towards the territory are concerned, according to the terms of the Constitution".

The President of the Portuguese Republic would state, some months later, that the situation in East Timor is offensive "to the most elementary rules of cohabitation between countries and to human rights". He added that "Portugal is not prepared to abandon East Timor to its fate and expects that the Common Market Institutions, particulary the European Parliament will direct their interest and attention to the matter, as its gravity demands.

At the same time, the overwhelming majority of the members of the EEC Parliament approved a vote (with only three votes against and four absentions) denouncing the over--running of international law an of human rights on Indonesia's part in its occupation of East Timor and Conjuring the Indonesian Government to immediately cease all actions directed against the Inhabitants of East Timor, and to put an end to the occupation of the territory, thereby respecting the right of self-determination". The President then proceeded to exhort all EEC countries to "engage in all necessary actions with a view to creating those conditions under which the people of East Timor might make use of their right of self-determination".

In July, 17th, the Portuguese Parliament would once again condemn the situation in East Timor. The proposal,approved by unanimity and acclamation reasserts "the right to self--determination of the East Timor people", not accepting "the integration into Indonesia of this territory against the free will of its people and in notorious violation of

the principles of international law". In this vote, the Portuguese Parliament "renders itself available to participation in any future initiative seeking a solution that will take into account the legitimate aspirations of the people of East Timor".

In August 15th the meeting of the Decolonization Committee starts in New York. 21 subscribers to a petition unanimously condemn Indonesia's occupation of East Timor and register their rejection regarding the continued violation of human rights. They emphasize their support to the unconditional right to self-determination and independence of the people of East Timor.

In September 3rd, at the Non-Aligned Countries Summit in Harare, the President of the People's Republic of Mozambique, Samora Machel, defends East Timor's right of self-determination, such defence being coherent with the principles of said Movement. "It pertains to this Assembly to take a firm stand regarding the right of self-determination and the right to independence of the people of East Timor ..."

"In East Timor we are faced with a case of territorial occupation, with the deprivation of a people's right to liberty, blatantly violating our Movement's rulings" said Samora Machel.

At the same Summit, Jose Eduardo dos Santos, President of the People's Republic of Angola, requested the countries of the Non-Aligned Movement to focus their attention "on the appreciation of the people of East Timor's situation, heroically fighting, arms in hand, for their independence and freedom".

In September 16th, at the 41st UN General Assembly, the portuguese delegation took the opportunity to underline the importance of the fundamental principles of freedom, of self-determination and of human rights of the peoples of nonself-governing territories. The delagation renewed its support to the Secretary General for his efforts on behalf of a global solution for the East Timor question, in the cadre of Resolution 37/30 of the United Nations General Assembly.

Also in September, the Portuguese Foreign Affairs Minister, Pires de Miranda, in an address to the UN, and after having asserted that the timoran's right to self-determination is for Portugal a fundamental principle, said that the situation in East Timor comes as a pledge of honour for our country in what concerns "the preservation of the cultural heritage of the timoran people and their specific identity, in the defence of their liberties and of human rights in the territory".

From the 6th the 11th October, at the IPU 76th Conference, the Portuguese delegation reasserts "the right to self--determination of the people of East Timor, not accepting the forceful integration of the territory in Indonesia".

In a communique issued at the closing of the meetiong, the Portuguese Members of Parliament stated that "Indonesia occupied by force of arms and against every kind of plea and recommendation from various sources, a territory of which Portugal is, legally, the administering state... In fact, the Indonesian Government achieved in 10 years, what the Portuguese, in five centuries, never wanted to do: to reduce by half the Maubere people, to render sterile the best part of the Timoran women and impose a reign of terror in the territory, massacre the inhabitants and force the immigration of other populations into this region. Ending the communique, the Portuguese delegation asserted "that the people of East Timor have a right to self-determination and to independence, under Portugal's legal administrating responsability, and under control of the appropriate international institutions".

In October 10th, Mario Soares, President of the Portuguese Republic, at the official reception to Jaime Lisinchi, President of Venezuela, remarked on the fact that the problem of East Timor does not rouse in the International public opinion the same interest as do the problems of Central America and of South Africa. Mario Soares remarked that "the reight of self-determination has been denied

to the East Timor people, blatantly violating the principles in United Nations Charter".

In the end of October, the portuguese Prime-Minister, Mr. Cavaco Silva, in an interview to "Politique Internationale" stated that "the population of East Timor has a right to self-determination" guaranteeing that Portugal will endeavour to have right recognized.

EVOLUTION OF THE ARMED RESISTENCE

After the Portuguese withdrawal from the territory of East Timor, Timoran Resistance became a key factor to be taken into account in the problem's solution.

This struggle, however, did not always follow the same pattern. Therefore, an overall idea of its evolution is advisable.

One can consider four stages: the first, from December 1975, tha date of occupation, to mid 1978; the second until the end of 1981, the third until the end of March 1983 and the last to the present day. Let us briefly characterize each one.

The enormous cultural differences separating the Timorans from the remaining peoples in the area go back to well before the geginning of the Portuguese Colonization of the Territory. It was in 1562 that Portuguese dominican missionaries started the process of christianization of East Timor. From 1641 onwards the basics for a new birth in christianity are launched. In 1702 the first Governor arrives in East Timor, effecting Portuguese sovereignty. At the time, the Timoran people had already a cultural identity of their own, confirmed by the existence of the BELOS confederation, as it was called ('Belos' then meaning FRIENDS in a literal translation), the territory of which corresponded, "grosso modo" to the present boundaries of

East Timor and wich was perfectly distinctive from the other confederations existent in the Western part of the island.

The Portuguese missionaries conquered the hearts of the Timor people, through their respect for local languages, traditions and muths. These have endured up to our time in a cultural harmony that the portuguese colonizatien endeavoured to respect and preserve while it administered the territory. Faced with the Indonesian invasion which in way gave a guarentee of respecting the preservation of these values, or even the safeguard of the legitimate right to self-determination and independence - but on the contrary, preferring to persecute, violate and repress - the majority of the Timoran People chose to flee island, in a clear demonstration of rejection to the presence of the Indonesian troops.

FRETILIN assumes the Resistance leadership, engaging in classic warfare until mid-1978.

From 1978 onwards, Indonesia increases its military effectives, making use of systematic bombing of several parts of the island. This increases famine and dispiritedness amongst the resisting forces, bringing some of FRETILIN's leaders to advise part of the population to surrender to Indonesia. In the end of 1978, the outlook is dramatic: only 3 of the 50 original members of FRETILIN's Central Committee were left; 80 per cent of the armed forces (FALINTIL) had disappeared; 90 per cent of the armament

had been seized. In view of this situation, some of the partisans surrender under the promise that they shall not be a target for retaliation. They are killed outright.

The invaders' violence and the atrocities perpetrated were indeed the reason for the resistence's third fase. In July 10th 1980, the Dili magazine, the broadcasting station and several military garrisons are attacked. This is the sign for Resistance reorganization. Classic warfare is then substituted by guerrilla, registering important adherence from nationalist elements.

From 1981 onwards, military operations intensify both in number and scope. In view of this, Indonesian officials start negotiations with Xanana Gusmao, Commander-In-Chief of the Timoran Resistance Armed Forces, for a cease-fire, which was signed in March the 23rd but broken by Indonesia six months later.

In August, the Indonesian High Command once again threatens to use large numerical forces in the case where the Resistance should not surrender. Taking advantage of the 17th August, Indonesia's Independence Day, Jakarta launches a violent military action to completely anihilate armed resistance. According to the Indonesian Military Command's statement at the time, the situation would be claered within a month. This did not happen, has there is to this day a continuous and significant resistance, rejecting the Territory's occupation.

## 6. VIOLATION OF HUMAN RIGHTS

Human rights have been constantly violated by the Indonesian forces subsequent to their first incursions in September 1975 which culminated in a full-scale invasion in December. These have been proven by the numerous and independent testimonies and reports produced ever since.

Both during the invasion period (it is thougth that some 200.000 people have died as a result of the armed conflict, repression and famine - approximately 1/3 of the population -) and in latert periods, the most elementary human rights were violated an the part of the invading forces in order to bend the will of the people reclaiming their cultural individuality and the right of self-determination.

The murder in October 16th 1975 at Balibo, of five Australian journalists by the Indonesian troops was the first sign that Indonesia proposed to keep from world opinion a series of atrocities which the international community would not fail to condemn.

It was not until September 1978 that a delegation of australian diplomats and journalists visits East Timor.

Inspite of the fact that the visit followed and invitation from Jakarta, nevertheless the delegation's mentions the cruelty of the situation: 150.000 to 300.000 Timorans are concentrated in "recolonization settlements and their physical condicion reveals sub-nutrition (1).

In this period, as indeed later on, much of the news and reliable testimonies have reached us through the local Church or have been delivered by religious personalities whose soundness cannot be doubted.

The awareness of the Church leaders led the bishops to take a stand against the situation (2). They said then that: "We cannot refuse to face what is happening... Especially those facts which determine the well-being or the misery of the masses which are involved in a cruel repression or are the victims of it". As early as 1981 Monsignor Martinho Lopes, Apostholic Administrador denounces the crimes of the indonesian army and requests alimentary aid from Australian Caritas, for the famished population. This attitude costs him his post. His successor,

1985 - (1) International Amnisty Report - East Timor - Human Rights.

1984 - (2) Letter of the Indonesian Bishops to the clergy of Dili Diocese.

Monsignor Ximenes Belo continues, however, in this line: "The East Timor Church is prepared and determined to defend the fundamental human rights and most of all to defend the existence of the timoran people's own identitily and culture". Later on, in an interview to an australian journalist, he would state: We live under oppression. East Timor now resembles a prison".

Father Leoneto Rego, allowed to leave East Timor in June 1979, described on his turn the situation: Nobody having associated with FRETILIN is safe; at any time, people can be taken away without their families' knowledge and be placed anywhere, sent to prison camps or simply made to disappear".

In a letter of February 26th, 1984, Monsignor Ximenes Belo writes to his predecessor "The Church is persecuted and our schools searched, our students questioned. The Salesiano Fathers' residence at Bacau was savagely searched.

In March 1984, it was the Portuguese bishops' turn to take a stand: "One cannot accept that the highest international institutions ignore or underestimate the situation's gravity and impassibly accept a fait accompli". In another excerpt the Portuguese bishops stated. "The Church can and must make its voice heard so that all the injustices afflicting the Timor people may cease and so that they can, on their own, in Peace and in Freedom, determine their own future". On the 7th of July, 1984, it is the Pope's John Paul II turn to show his concern for

the situation prevailing in East Timor. When receiving from the new Indonesian Ambassador to the Vatican his credentials, John Paul II asked Indonesia "respect for Human Rights" in East Timor, and expressed "his hope that special consideration, would, in every circunstance, be shown towards the ethnic, religious and cultural identity of the people".

The violations of human rights in East Timor were not circumscribed to the invasion period but still carry on and include a generalized climate of suspicion, arbitrary imprisonement, disappearance of people, absence of freedom of expression, prohibition of holding meetings, of associating, of traveling, and the imposition of new cultural and linguistic standards.

The Indonesian non observance of the right to free expression, to hold meetings, to associate and travel was verified during a private visit to East Timor in July 1986 of Portuguese Member of Parliament Miguel Anacoreta Correia. The official language adopted for teaching and services became that of the invader, the "bahasa indonesian" in detriment to both the local language, "tetum" and the language of the administrating power, Portuguese. The latter is now exclusively taught in a few Catholic schools, ostensibly ignored by the Indonesian authorities.

This visit also established that there are approximately 1.000 prisoners in Atauro with no time - occupation programme whatsoever and with no possibility of receiving visitation.

On the other hands, the existence of a trans-immigration programme was confirmed. Its aim is to transfer at short notice 500 families to Salole and 255 to Beco, 50 per cent of which are from the isle of BALI.

The report confirms as well a very substantial rejections of the people of East Timor to Indonesian occupation. The many persecutions, the control of individuals, of correspondence and the establishment of a betrayal system also create an unsustainable psychological atmosphere, with a prevailing climate of fear.

## 7. THE PORTUGUESE PARLIAMENT'S STAND.

The East Timor problem has been one of the issues where parliamentary decisions have been made by unanimity, inspite of the diversity of political forces that are included in it (six, at present).

This fact is partly the result of the Portuguese public opinion's sensitivity to matters regarding the fate of the People of East Timor, for whom a great feeling of Friendship and Solidarity is nurtured.

The Constitution of the Portuguese Republic, approved in 1976 by the Constituent Assembly includes the following article:

" ARTICLE 297 "

(Independence of East Timor)

1. Portugal remains bound to the responsabilities which, in accordance with International Law' pertain to this country in the promotion of the right of East Timor to independence.

2. It is the attribution of the President of the Republic and of the Government to perform all necessary actions to ensure the outcome of the aim set in the previous number".

In 1978, 1982, 1984, 1985 and 1986, the Parliament approved propositions defending "the rigth to self-determination of the East Timor People". It "does not accept the integration of the territory in Indonesia against the will of the timorans and in notorious violation of the principles of International Law" and "condemns the attitude of Indonesia which, being a member of the Non-Aligned Movement, has systematically violated the principles of same, as well as United Nations and Human Rights Resolutions.

The Parliament set up a Commission, in April 2nd 1982, for the following-up of the situation in East Timor. This commission has done an important job on following up the whole situation as well as making public opinion aware of it, The Commission receives East Timoran civic and political representative organizations with bearing on the issue, collects information on the actual situation in the Territory, reporting both to the President of the Republic and to the Government that are, according to the Constitution, the policy makers in this matter.

The Portuguese position has, throughout the years, essentially considered the following:

- The defence of the right of self-determination for the People of East Timor;
- The defence of Human Rights in East Timor;
- The defence of cultural identity of the Timoran People.

The Commission for the Followin- up of the situation in East Timor is composed of 23 Members of Parliament (eight from the Social Democratic Party; five from the Socialist Party; four from the Democratic Renewal Party; three from the Portuguese Communist Party; two from the Democratic Centre Party; and one from the Portuguese Democratic Movement.

## CONCLUSIONS

From all that was stated in the preceeding pages, the Portuguese Parliament's Commission for the Following-up of the Situation in East Timor draws the following conclusions:

1. Indonesia invaded the territory of Timor in definite violation of the norms of International Law and in contradiction to its many statement throughout the year that it did not hold any territorial ambitions regarding East Timor.

2. The anexation attempt after the invasion, based on acts of nul and void representativeness did not merit the recognition of the International Community.

3. Human Rights violations, which attained maximum gravity in the period subsequent to invasion still continue in East Timor: Notwithstanding other types of repressive actions, the following have been proved: arbitrary inprisonments, deportations, restriction to circulation both of people and correspondence, domicilliary violations, non-existence of the right to hold meetings and of expression, etc.,etc..

4. The People of East Timor, in a very substantial percentage, reject the presence of Indonesia in its territory, and expects Portugal to assume an active role in ensuring their right to self-determination. The people further expect that

the International Community will continue to condenm the present state of affairs, enforcing compliance with the United Nations deliberations.

5. Portugal, administering state, has kept asserting the right of the East Timor to self-determination and that it will, with every means at the country's disposal, fight unceassingly in order that the East Timor people may freely choose their own future - thereby making good the established in International Law, and in the UN Charter and Deliberations, enforcing the contents of article 297 of the Portuguese Constitution, and meeting the Portuguese people's wishes on the matter, repeatedly asserted by unanimnity in sucessive deliberations of the country's Parliament.

## EVENTUAL COMMISSION FOR THE FOLLOWING-UP OF THE SITUATION IN EAST TIMOR

PRESIDENT: - VICTOR PEREIRA CRESPO (PSD)

VICE-PRESIDENT: - CARLOS MANUEL DA COSTA CANDAL (PS)

SECRETARY: - VITORINO DA SILVA COSTA (PRD)

SECRETARY: - ANTÓNIO MANUEL DA SILVA OSÓRIO (PCP)

- Fernando José Alves de Figueiredo (PSD)
- Luis Costa Geraldes (PSD)
- José Guilherme Coelho dos Reis (PSD)
- José Maria Peixoto Coutinho (PSD)
- Henrique Rodrigues da Mata (PSD)
- Maria Antonieta Cardoso Moniz (PSD)
- Manuel Maria Moreira (PSD)

- José Carlos Pinto Mota Torres (PS)
- Ricardo Manuel Rodrigues de Barros (PS)
- Raul Fernando Sousela da Costa Brito (PS)
- Aloísio Fernando Macedo Fonseca (PS)

- António Eduardo de Sousa Pereira (PRD)
- Carlos Alberto Narciso Martins (PRD)
- Rui José dos Santos Silva (PRD)

- José Manuel Antunes Mendes (PCP)
- Custodio Jacinto Gingão (PCP)

- José Miguel Anacoreta Correia (CDS)
- José Augusto Gama (CDS)

- Raúl Fernandes de Morais e Castro (MDP)